1 UNITED STATES DISTRICT COURT 2 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 3 THE MACERICH PARTNERSHIP, LP, et al., 4 Plaintiff(s), 5 NO. C03-2656P v. 6 ORDER ON McCARTHY BUILDING COMPANIES, INC.'S AND SDL McCARTHY BUILDING COMPANIES, et al., 7 CORPORATION FIRST THROUGH Defendant(s)/Third-Party ELEVENTH MOTIONS IN LIMINE 8 Plaintiffs, 9 v. 10 CADMAN, INC., et al., 11 Third-Party Defendant(s). 12 13 The above-entitled Court, having received and reviewed: 14 1. McCarthy Building Companies, Inc.'s and SDL Corporation's First through Eleventh Motions 15 in Limine; 16 2. Plaintiffs' Response to McCarthy and SDL's First through Eleventh Motions in Limine 17 3. Reply in Support of McCarthy Building Companies, Inc.'s and SDL Corporation's First 18 through Eleventh Motions in Limine 19 and all exhibits and declarations attached thereto, makes the following ruling: 20 IT IS HEREBY ORDERED that the motions are disposed of as follows: 21 1. Testimony regarding what the law is: DENIED. 22 2. Offers of settlement or compromise: DENIED. No evidence of any specific offer was 23 identified. 24 3. <u>Undisclosed evidence</u>: DENIED. The parties may make their objections at trial. 25 ORD ON DEFS' MTNS 26 IN LIMINE NOS. 1 - 11 - 1

| 1 | 4. | Insurance: GRANTED. |
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| 2 | 5. | McCarthy's assets: GRANTED. |
| 3 | 6. | Presence of the parties: GRANTED. |
| 4 | 7. | The filing of this motion or the Court's ruling: GRANTED. |
| 5 | 8. | Expenses of litigation: GRANTED. |
| 6 | 9. | Non-expert testimony: DENIED. The parties may make their objections at trial |
| 7 | 10. | Evidence of other lawsuits: GRANTED. |
| 8 | 11. | Experts retained by the insurance companies: GRANTED. |
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| 10 | The clerk is ordered to provide copies of this order to all counsel. | |
| 11 | Filed | this 2 nd day of May, 2006. |
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| 13 | | Marshy Melins |
| 14 | | Marsha J. Pechman |
| 15 | | U.S. District Judge |
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